
IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMIAH VAUGHN GREGORY, JR.,

Defendant.

ORDER PROVIDING NOTICE OF
CONTEMPLATED SENTENCING
VARIANCE

Case No. 2:05-CR-00893 PGC

The defendant in this case, Jeremiah Vaughn Gregory, Jr., has requested written notice of any intent of the court to depart upward from the sentencing guidelines. In response to this request, the court hereby gives notice that, pursuant to § 5K2.9, it is considering varying upward from the otherwise applicable sentencing guidelines in this case. Section 5K2.9 provides:

If the defendant committed the offense in order to facilitate or conceal the commission of another offense, the court may increase the sentence above the guideline range to reflect the actual seriousness of the defendant's conduct.¹

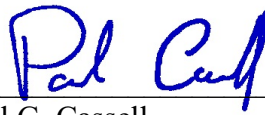
In this case, Mr. Gregory himself has admitted that he committed a bank robbery in order to facilitate a violent overthrow of the United States government. He committed the robbery in furtherance of this goal — both to earn money for his war with the United States and to

¹ USSG § 5K2.9

destabilize the government. For these reasons, the court is considering an upward departure from the otherwise applicable guidelines. For these same reasons, the court is also considering an upward variance from the otherwise applicable guidelines pursuant to *United States v. Booker*² and 18 U.S.C. § 3553(a).

DATED this 27th day of June, 2007.

BY THE COURT:



Paul G. Cassell
United States District Judge

² 543 U.S. 220 (2005).